

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO., LTD., a
Japanese company;

Plaintiff,

V.

SAREPTA THERAPEUTICS, INC., a
Delaware corporation

Defendant.

CIVIL ACTION NO. _____

**PLAINTIFF NIPPON SHINYAKU CO., LTD'S
MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65, plaintiff Nippon Shinyaku Co., Ltd. (“Nippon Shinyaku” or “Plaintiff”) by and through its undersigned attorneys, hereby moves for a preliminary injunction enjoining defendant Sarepta Therapeutics, Inc. (“Sarepta” or “Defendant”) from proceeding with *inter partes* review (“IPR”) of Nippon Shinyaku’s U.S. Patent Nos. 9,708,361; 10,385,092; 10,407,461; 10,487,106; 10,647,741; 10,662,217; and 10,683,322 before the U.S. Patent and Trademark Office and requiring Defendant to withdraw these petitions.

The reasons for the instant Motion are set forth in Nippon Shinyaku's Memorandum of Law in Support, which is incorporated herein by reference.

Pursuant to Local Rule 7.1.1, the undersigned certifies that although Defendant has not yet retained Delaware counsel and thus no meet and confer between including Delaware counsel has occurred, reasonable efforts were made to resolve the dispute underlying this Motion, but the parties were unable to reach resolution.

Dated: July 13, 2021

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Amanda S. Williamson (to be admitted *pro hac vice*)
Christopher J. Betti (to be admitted *pro hac vice*)
Maria E. Doukas (to be admitted *pro hac vice*)
Michael T. Sikora (to be admitted *pro hac vice*)
110 N. Wacker Drive, Ste. 2800
Chicago, IL 60601
Telephone: 312.324.1000
Fax: 312.324.1001
amanda.williamson@morganlewis.com
christopher.betti@morganlewis.com
maria.doukas@morganlewis.com
michael.sikora@morganlewis.com

/s/Amy M. Dudash
Amy M. Dudash (DE Bar No. 5741)
1201 N. Market Street
Suite 2201
Wilmington, Delaware 19801
Telephone: 302.574.3000
Fax: 302.574.3001
amy.dudash@morganlewis.com

*Attorneys for Plaintiff Nippon
Shinyaku Co., Ltd.*